

COUNTY OF YORK

MEMORANDUM

DATE: December 13, 2005 (BOS Mtg. 02/21/06)

TO: York County Board of Supervisors

FROM: James E. Barnett, County Attorney

SUBJECT: Central absentee precinct

Attached is a letter dated December 8, 2005, from Josephine L. Hargis, Secretary of the York County Electoral Board, requesting that County code § 9-21.1 be amended to establish a central absentee voter precinct for all elections, not merely for general and special elections as is now specified. The request for this change is prompted by the Help America Vote Act of 2002 (HAVA), which among other things, will require every precinct, including central absentee voter precincts, to have available at least one "direct recording electronic" voting machine, by which is meant a touch screen voting machine which is accessible to disabled persons. Because of certain logistical considerations which will accompany the use of the DRE voting equipment, the Electoral Board has decided that the observance of a central absentee voting precinct for all elections, including primary elections, is necessitated. At the present time, because of a relatively low turnout of voters in primary elections, current voting equipment allows for persons voting by absentee ballot to appear at the Registrar's Office (which serves as the central absentee voter precinct in general and special elections) to cast a ballot utilizing the Acuvote voting machines currently in use throughout the County, which utilize a paper ballot which can be read by a scanning device. Although the votes thus cast are counted at the central absentee voter precinct for general and special elections, for primary elections, the paper ballots are ultimately sent to the home precinct of the absentee voter to be counted there. That procedure dispenses with the need to keep a full complement of poll workers at the Registrar's Office during primary elections, when as few as four to twelve voters may show up during a typical primary election. The greater number of voters in general and special elections made the operation of a central absentee voter precinct economical.

Now, however, with the implementation of HAVA for all elections conducted beginning in 2006, the DRE voting equipment will not create paper ballots which can be forwarded to a voter's home precinct. Thus, votes cast on the HAVA compliant machine located in the Registrar's Office will, of necessity, be tabulated there and recorded as votes cast at the absentee voter precinct. That process will require the central absentee voter precinct to operate as such, with a full complement of poll workers in attendance, for primary as well as for general and special elections. Consequently, the requested ordinance amendment will merely recognize a practice which will become a necessity beginning with elections conducted in 2006, including primary elections, if any are held.

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For your information, prior to August 2, 1995, York County Code § 9-21.1 provided for a centralized absentee voter precinct for all elections. It was amended at that time to require the operation of the centralized absentee precinct only for general and special elections at the request of the Electoral Board. The amendment, then, is essentially a return to the way things stood until ten years ago.

Attached is draft Ordinance No. 06-03 for your consideration and adoption.

Barnett/3440:sw
Attachments

- Correspondence from Josephine Hargis, Secretary, York County Electoral Board
- Ordinance No. 06-03